

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>Adrienne WALSH, et al.</b>	)	Group Art Unit: 3632
	)	
Application No.: <b>10/821,337</b>	)	Examiner: Wood, Kimberly T.
	)	
Filed: <b>April 8, 2004</b>	)	
	)	
For: <b>TRANSDUCER HOLDER</b>	)	Confirmation No.: 9081

**MAIL STOP RCE**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Co-owner, Dale Medical Products, Inc., duly organized under the laws of the United States and having its principal place of business at 7 Cross Street, Plainville, Massachusetts 02762, represents that it is an assignee of the above-identified application, Application No. 10/821,337, filed April 8, 2004, (for TRANSDUCER HOLDER), as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 015724, Frame 0782 on August 26, 2004 and co-pending Application No. 10/996,998, filed November 24, 2004 (for TRANSDUCER HOLDER), as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 016032, Frame 0442 on April 7, 2005.

Inventor, Adrienne Walsh, whose residence is the State of Colorado, represents that she is a Co-owner of the above-identified application, Application No. 10/821,337, filed April 8, 2004, (for TRANSDUCER HOLDER), and represents that she is a Co-owner of co-pending Application No. 10/996,998, filed November 24, 2004 (for TRANSDUCER HOLDER).

Inventor, Maria Campanella, whose residence is the State of Virginia, represents that she is a Co-owner of the above-identified application, Application No. 10/821,337, filed April 8, 2004, (for TRANSDUCER HOLDER), and represents that she is a Co-owner of co-pending Application No. 10/996,998, filed November 24, 2004 (for TRANSDUCER HOLDER).

To obviate a double patenting rejection, Petitioners (as Co-owners) hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/996,998. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents issuing on the co-pending applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent

granted on the co-pending applications, as presently shortened by any terminal disclaimer, in the event that any patents granted on the co-pending applications later expires for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$65.00 (small entity) is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: April 6, 2007

By: \_\_\_\_\_

Christopher S. Schultz  
Reg. No. 37,929